

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

United States District Court
Southern District of Texas

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MAY 8 2002

Michael N. Milby, Clerk of Court
By Deputy Clerk

**IN RE THE COMPLAINT AND PETITION
OF BROWN WATER TOWING I, INC.,
AS OWNER, AND BROWN WATER
MARINE SERVICE INC., AS BAREBOAT
CHARTERERS, OF THE BROWN
WATER V, ITS ENGINES, TACKLE,
ETC., IN A CAUSE OF EXONERATION
FROM OR LIMITATION OF LIABILITY**

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CIVIL ACTION NO. B-01-157

Consolidated with

CAB-02-115

CIVIL ACTION NO. B-02-004

Admiralty

**IN THE MATTER OF AMERICAN
COMMERCIAL LINES LLC AS OWNER
and AMERICAN COMMERCIAL BARGE
LINE LLC AS CHARTERER OF THE
BARGES NM-315, VLB-912, ACL-9993B,
VLB-9173, PRAYING FOR EXONERATION
FROM AND/OR LIMITATION OF LIABILITY**

ORDER

BE IT REMEMBERED that on May 29th, 2002, the Court considered Petitioners' Motion to Sever [Dkt. No. 182]. This Motion seeks to sever the sixty-seven claimants attached as Exhibit "A" from this action. The Court previously granted summary judgment against these claimants in the Order dated May 9, 2002 [Dkt. No. 176]. The Court finds that a severance will streamline the case and decrease costs to all the Parties. The Court also finds that substantial rights will not be prejudiced by a severance and that there is no reason to delay the entry of final judgment against the severed claimants. IT IS THEREFORE,

ORDERED, ADJUDGED, and DECREED that the claims against Petitioners Brown Water Marine Service, Inc. and Brown Water Towing I, Inc. of the claimants attached as Exhibit "A" are severed into a separate proceeding, Civil Action Number B-02-115-, so that the Court's Order of May 9, 2002 [Dkt. No. 176] can become final judgment with respect to these claims.

DONE at Brownsville, Texas, this 29th day of May, 2002.

Hilda G. Tagle
Hilda G. Tagle
United States District Judge

EXHIBIT "A"

Robert A. Fandrich and Virginia Fandrich

John McCoy and Mary McCoy

Dimas Mora

202 Bayside Bar & Grill

A-1 Taxi & A-1 Limousine

Amberjack's Bar and Grill, Inc.

Charlie Armendariz

BK's Beach to Bay Enterprises, Inc., d/b/a BK's Carpet & Upholstery Cleaning

Rodolfo Barrera

Rick and Brenda Bays

Bubba's Bayside Bar-B-Que Restaurant

Buena Suerte Sport Fishing Charters

Cactus Flower Interiors

Capt. Thomas Charter Fishing

Casa de Siesta Bed & Breakfast

Dolly Castillo

Coffey Construction

Rae Dejur

Designer's Discount Showroom

Edelstein's Better Furniture and Show Case

Fedigan Construction

Adrian Flandes

Furcron Realtors

Pedro Garcia, III

Ghilain, Inc.

Risa Ann Ghilain

Mark A. Guillot

Joe Gutierrez, III

Adam and Marcela Hancock

Island Market

Island Pharmacy

J. W. Properties, Inc.

J. W. Restaurants, Inc.

Jim Reynolds Hair Design

Jim's Pier, Inc.

Joseph's Restaurant

Kelly's Irish Pub

Kohnami Restaurant

La Jaiba Seafood Restaurant and Lounge

La Vina's Natural Nail Care

Michael and Judy Lemmons

Miramar Resort

Marina Village, Inc.

Massage & Healing Arts Center

Andrew L. Minkler

Padre Island Brewing Co., Inc.

Glen and Joyce Pfeil

Pro-Fit Gym

Property Management Co.

Richard Stockton Photography

Sangria Condominium, Inc.

Sea Ranch Enterprises, Inc.

South Padre Island Fishing Center Joint Venture

SPI Management

SPI Security

SPI Texas Enforcement Group, Inc.

Lee Roy Summerlin

T-Brent

Ted's Restaurant, Inc.

Texas Beach House

The Coastal Current

The Town of South Padre Island

Uncle Buggies Beach Buggy Rentals

Gilbert Vela

Ybarra's Tire Busters